

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

WILLIAM J. HALL,

Plaintiff,

Case No. 3:11 CV 2640

-vs-

O R D E R

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

KATZ, J.

Before the Court is an application for attorneys' fees by attorneys representing Plaintiff, William J. Hall, pursuant to the Equal Access to Justice Act (EAJA) 28 U.S.C. § 2412(a),(d). That Act permits the Court to award fees and expenses to a party prevailing in litigation similar to that involved in this case. The Government has opposed the award of attorneys' fees and in particular the hourly rate requested by counsel, which is asserted to be unreasonable. Counsel for Plaintiff has filed a reply. After due consideration, the Court will award attorneys' fees and expenses but not in the amount requested or suggested by either party.

This Court has recently issued brief memoranda opinion in two cases, *Greene v. Commissioner of Social Security* Case No. 11 cv 1333 and *Williams v. Commissioner of Social Security*, Case No. 07 cv 3656. In the *Greene* case this Court utilized an hourly rate of \$172, recognizing what is common knowledge by all those familiar with the economy in which we live that inflation has taken place since the adoption by statute of the rate of \$125 per hour. The Court notes that counsel for Plaintiff has provided extensive data supporting the hours expended in the prosecution of the matter, and has included as Exhibit 4 a computation regarding cost of living increases since the establishment in 1996 of the \$125 per hour rate pursuant to the EAJA.

Therefore, this Court will utilize the rate of \$172 an hour. In his reply Mr. Roose, Attorney for Plaintiff in this case, requested a rate of \$184.25 per hour and included a supplemental EAJA application for 4.8 hours for work performed in October 2012. This Court will award a total of \$3,556.80 in legal fees and \$30 in expenses or a total of \$3, 586.80.

IT IS SO ORDERED.

s/ David A. Katz
DAVID A. KATZ
U. S. DISTRICT JUDGE